

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LAYTHRON TILLIS, an individual
and ETHEL TILLIS, an individual,

Plaintiffs,

vs.

CECIL E. CAMERON, an individual;
HERTZ CLAIMS MANAGEMENT, a
foreign corporation; THE HERTZ
CORPORATION, a foreign corporation,

Defendants.

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Case No.: 107-CV-78-WKW

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REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to *Fed.R.Civ.P.26(f)*, the following attorneys conferred on or about March 1, 2007:

Thomas B. Albritton, counsel for Plaintiff.

Randall Morgan and David W. Henderson, counsel for Defendant Cecil E. Cameron.

R. Rainer Cotter, counsel for Defendant Hertz Claims Management and The Hertz Corporation.

2. Pre-Discovery Disclosures. The Parties will exchange the information required by *Fed.R.Civ.P.26(a)(1)* by May 1, 2007.

3. Discovery Plan. Discovery will be required on the allegations made in Plaintiff's complaint and the defenses raised in Defendant's answer. The parties jointly propose to the court the following discovery plan:

a. All discovery commenced in time to be completed by the pre-trial conference;

b. A total of 40 Interrogatories and 40 Requests for Production by

the Plaintiff and by each Defendant to any other party. Responses due thirty (30) days after service.

- c. A total of 30 Requests for Admission by the Plaintiff and by each Defendant to any other party. Responses due thirty (30) days after service.
- d. The parties have agreed to limit depositions to a total of Seven (7) on behalf of either party except by agreement of the parties or for good cause.
- e. Each deposition, except for experts, shall be limited to a maximum of four (4) hours unless extended by agreement of parties. Expert depositions shall be limited to a maximum of six (6) hours unless extended by agreement of parties.
- f. Reports from retained experts under Rule 26(a)(2) due:
From Plaintiff by July 1, 2007.
From Defendant by August 1, 2007.
- g. The parties agree to supplement discovery pursuant to Rule 26(e).

4. Other items.

- a. The parties do not request a conference with the court before entry of the Scheduling Order. To the extent the Court prefers to hold such a conference, the parties respectfully request that it be handled telephonically.
- b. The parties request a pre-trial conference in December, 2007.
- c. Plaintiff should be allowed until May 15, 2007, to join additional parties and until May 15, 2007, to amend pleadings.
- d. Defendant should be allowed until June 15, 2007, to join additional parties and until June 15, 2007, to amend pleadings.
- e. All potentially dispositive motions should be filed ninety days before pre-trial conference.
- f. As this matter has only recently been filed, settlement cannot be evaluated at this time, although the parties are hopeful that they will be able to reach an amicable resolution of this matter and will negotiate in good faith in this regard.

- g. Final lists of witnesses under Rule 26(a)(3) should be due:

From Plaintiff by twenty-one (21) days before pre-trial conference.
From Defendant by twenty-one (21) days before pre-trial conference.

- h. Final lists of exhibits under Rule 26(a)(3) should be due twenty-one (21) days before trial date.
- i. Parties shall have fourteen (14) days after service of final lists of witnesses to list objections under Rule 26(a)(3).
- j. Parties shall have fourteen (14) days after service of exhibit lists to file objections.

The case should be ready for trial by January 7, 2008 and at this time is expected to take approximately two days.

/s/ Thomas B. Albritton
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Attorney for Plaintiffs

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/s/ R. Rainer Cotter, III

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